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OFFICE OF PETITIONS

In re Application of	:	
Penain and Seguy	:	LETTER AND
Application No. 10/032,992	:	NOTICE OF ABANDONMENT
Filed: December 26, 2001	:	
Attorney Docket No. FR 000156	:	

Reference is made to the above-cited application for patent and a deficiency that has resulted in the abandonment of the application, with the effective date of such abandonment being April 5, 2002.

On February 4, 2002, a "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") was mailed to the applicant and, among other requirements, indicated that an oath or declaration that complied with 37 CFR 1.63 was missing. The Notice provided a two-month period for reply and advised that extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). On February 6, 2003, a petition under 37 CFR 1.47 was filed along with a declaration executed by inventor Seguy. The petition under 37 CFR 1.47(a) cannot be entertained as a response to the Notice because the petition was not timely filed. As a result, the application became abandoned on April 5, 2002. The application must be revived pursuant to 37 CFR 1.137(a) or (b) before the petition under 37 CFR 1.47(a) will be treated.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
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Telephone inquiries concerning this matter may be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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